

ORIGINAL

OPEN MEETING AGENDA ITEM



0000138543

RECEIVED

2012 AUG -8 A 10:23 Arizona Corporation Commission

DOCKETED

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

AUG 08 2012

DOCKETED BY

*DM*

FENNEMORE CRAIG  
A Professional Corporation  
Jay L. Shapiro (No. 014650)  
3003 North Central Avenue, Suite 2600  
Phoenix, Arizona 85012  
Telephone (602) 916-5000  
Attorneys for Litchfield Park Service Company

**BEFORE THE ARIZONA CORPORATION COMMISSION**

IN THE MATTER OF THE APPLICATION  
OF LITCHFIELD PARK SERVICE  
COMPANY FOR A WAIVER UNDER  
A.A.C. R14-2-806 OR, IN THE  
ALTERNATIVE, NOTICE OF INTENT TO  
REORGANIZE UNDER A.A.C. R14-2-803.

DOCKET NOS: W-01427A-11-0419 and  
SW-01428A-11-0420

LPSCO'S COMMENTS TO THE  
RECOMMENDED ORDER

Litchfield Park Service Company ("LPSCO" or the "Company") responds to Staff's Procedural Comments and Recommendations filed on July 27, 2012. Put simply, LPSCO proposes minor changes to the conditions Staff recommends. Moreover, the Company has discussed these changes with Staff and understands Staff does not object to the revised language submitted below. Accordingly, LPSCO asks that the Commission replace the recommended language found in Staff's Recommended Opinion and Order at page 4, ls. 19-26 with the following:

- a. LPSCO fully cooperates with any Staff inquiries or requests for information and/or documents regarding any transaction that Staff determines might have some detrimental effect, direct or indirect, on the Company's operational or financial health.
- b. EDO is ordered to refrain from seeking an acquisition adjustment due to this transaction in any future rate case.
- c. EDO is ordered to maintain its quality of service, including, but not limited to ensuring that the number of service complaints, the response time to

1 service complaints and service interruptions should not increase as a result  
2 of the reorganization.

- 3 d. EDO and LPSCO are directed to maintain an equity position that represents  
4 no less than 35 percent of its total capitalization (aggregate of common  
5 equity, long-term debt and short-term debt).

6 The Company notes that the changes are limited to conditions a and c; conditions b and d  
7 are unchanged. And with these changes, the Company is in full agreement with Staff's  
8 recommendations and proposed form of order and respectfully asks that the Commission  
9 approve the requested language.

10 RESPECTFULLY SUBMITTED this 8th day of August, 2012.

11 FENNEMORE CRAIG, P.C.

12  
13 By: 

14 Jay L. Shapiro  
15 3003 North Central Avenue  
16 Suite 2500  
17 Phoenix, Arizona 85012  
Attorneys for Litchfield Park Service  
Company

18 **ORIGINAL** and 13 copies filed  
this 8th day of August, 2012 with:

19 Docket Control  
20 Arizona Corporation Commission  
21 1200 West Washington Street  
Phoenix, Arizona 85007

22 **COPY** sent via e-mail and U.S. mail  
23 this 8th day of August, 2012 to:

24 Jane L. Rodda, Administrative Law Judge  
25 Hearing Division  
26 Arizona Corporation Commission  
400 West Congress  
Tucson, AZ 85701

1 **COPY** hand-delivered  
2 this 8th day of August, 2012 to:

3 Chairman Gary Pierce  
4 Arizona Corporation Commission  
5 1200 W. Washington Street  
6 Phoenix, AZ 85007

7 Commissioner Paul Newman  
8 Arizona Corporation Commission  
9 1200 W. Washington Street  
10 Phoenix, AZ 85007

11 Commissioner Sandra D. Kennedy  
12 Arizona Corporation Commission  
13 1200 W. Washington Street  
14 Phoenix, AZ 85007

15 Commissioner Bob Stump  
16 Arizona Corporation Commission  
17 1200 W. Washington Street  
18 Phoenix, AZ 85007

19 Commissioner Brenda Burns  
20 Arizona Corporation Commission  
21 1200 W. Washington Street  
22 Phoenix, AZ 85007

23 Steve Olea, Director  
24 Utilities Division  
25 Arizona Corporation Commission  
26 1200 West Washington  
Phoenix, AZ 85007

Janice Alward, Chief Counsel  
Legal Division  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, AZ 85007

John Le Sueur  
Advisor to Chairman Gary Pierce  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, AZ 85007

1 Nancy La Placa  
2 Advisor to Commissioner Paul Newman  
3 Arizona Corporation Commission  
4 1200 W. Washington Street  
5 Phoenix, AZ 85007  
6  
7 Cristina Arzaga-Williams  
8 Advisor to Commissioner Sandra D. Kennedy  
9 Arizona Corporation Commission  
10 1200 W. Washington Street  
11 Phoenix, AZ 85007  
12  
13 Amanda Ho  
14 Advisor to Commissioner Bob Stump  
15 Arizona Corporation Commission  
16 1200 W. Washington Street  
17 Phoenix, AZ 85007  
18  
19 Thomas Galvin  
20 Advisor to Commissioner Brenda Burns  
21 Arizona Corporation Commission  
22 1200 W. Washington Street  
23 Phoenix, AZ 85007

24 By: *Maria San Jose*

25 7331074.1/060199.0025  
26